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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,902	04/03/2002	Ahmet Mursit Eskicioglu	RCA 89858	6841
7590	10/20/2005		EXAMINER	
Joseph S Tripoli Thomson Multimedia Licensing P O Box 5312 Princeton, NJ 08543-5312			SHIFERAW, ELENI A	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/089,902	ESKICIOLU ET AL.	
	Examiner Eleni A. Shiferaw	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 September 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 and 7-20 is/are pending in the application.
 - 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 and 7-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION (final)

Response to Amendment

1. Applicant's arguments/amendments with respect to canceled claim 1-5 and 7-20, amended claims 1, 4, 5, 14, 17, and 18, added claims 19-20, and presently pending claims 1-5 and 7-20, filed on August 31, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (Patent Number: 5,420,866) in view of Wasilewski et al. (Wasilewski '98, Pub. No.: US 2002/0094084 A1).

Regarding claim 1, Wasilewski teaches a method for enabling a security device to access a service, the method comprising:

extracting service and entitlement control message packet identifier pairs from data associated with said service and automatically identifying one of the extracted pairs according to a predefined convention (col. 5 lines 60-62, col. 6 lines 65-col. 7 lines 7, and col. 14 lines 45-61; *a remote decoder/set-top-box receives a packet that has multiple different conditional access or*

elementary streams, each multiple different conditional access has unique different packet identifiers or “packet identifier pairs”, with a table to automatically identify and extract the set of multiple different conditional access systems),

Wasilewski fail to explicitly teach wherein each first one of the received pairs includes a conditional access entitlement control message identifier and a second one of the received pairs includes a local entitlement control message identifier.

However Wasilewski '98 discloses multiple service providers (110a,b) and multiple conditional access layers on a single broadcasting packet, the broadcasting packet has multiple conditional identifiers and packet/program identifiers to identify the multiple service providers conditional access and identify the multiple programs stored on the broadcasting packet (par. 0010, 0041, 0036, 0046, and 0068).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the teachings of Wasilewski '98 within the system of Wasilewski because it is very well known to have more than one identifier or a pair of identifier in a method of broadcasting (par. 0010, 0041, 0036, 0046, and 0068). One would have been motivated to modify the teachings of Wasilewski because it would identify the conditional access entitlement control message and local entitlement message.

As per claims 4, 17, and 18, Wasilewski teaches a method for enabling a security device to access a service, the method comprising:

extracting the service and entitlement control message packet identifier pairs from data associated with said service (col. 5 lines 60-62, col. 6 lines 65-col. 7 lines 7, and col. 14 lines 45-

Art Unit: 2136

61; *a remote decoder/set-top-box receives a packet that has multiple different conditional access or elementary streams, each multiple different conditional access has unique different packet identifiers or “packet identifier pairs”, with a table to automatically identify and extract the set of multiple different conditional access systems*); and,

if only one service and entitlement control message packet identifier pair is extracted, identifying the extracted pair (col. 1 lines 27-38, col. 10 lines 29-64, and col. 5 lines 58-63); and,

if more than one service and entitlement control message packet Identifier pair are extracted, automatically identifying at least one of the extracted pairs according to a predefined convention (col. 5 lines 60-62, col. 6 lines 65-col. 7 lines 7, and col. 14 lines 45-61; *a remote decoder/set-top-box receives a packet that has multiple different conditional access or elementary streams, each multiple different conditional access has unique different packet identifiers or “packet identifier pairs”, with a table to automatically identify and extract the set of multiple different conditional access systems*),

Wasilewski fail to explicitly teach wherein each first one of the received pairs includes a conditional access entitlement control message identifier and a second one of the received pairs includes a local entitlement control message identifier.

However Wasilewski '98 discloses multiple service providers (110a,b) and multiple conditional access layers on a single broadcasting packet, the broadcasting packet has multiple conditional identifiers and packet/program identifiers to identify the multiple service providers conditional access and identify the multiple programs stored on the broadcasting packet (par. 0010, 0041, 0036, 0046, and 0068).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the teachings of Wasilewski '98 within the system of Wasilewski because it is very well known to have more than one identifier or a pair of identifier in a method of broadcasting (par. 0010, 0041, 0036, 0046, and 0068). One would have been motivated to modify the teachings of Wasilewski because it would identify the conditional access entitlement control message and local entitlement message.

Regarding claim 19, Wasilewski teaches a method, comprising:

receiving a datastream including a service (col. 6 lines 27-36; *a decoder receiving a packet that has multiple different conditional access and/or elementary stream and different broadcast programs*);

identifying, in the datastream, service and entitlement control message packet identifier pairs associated with said service (col. 5 lines 60-62, col. 6 lines 65-col. 7 lines 7, and col. 14 lines 45-61; *a remote decoder/set-top-box receives a packet that has multiple different conditional access or elementary streams, each multiple different conditional access has unique different packet identifiers or “packet identifier pairs”, with a table to automatically identify and extract the set of multiple different conditional access systems*),

determining whether a particular one of the identified service and entitlement control message packet identifier pairs is associated with one of a conditional access entitlement control message of a service provider and a local entitlement control message of a local network based on a predefined convention related to an ordering of the service and entitlement control message packet identifier pairs within the datastream;

Art Unit: 2136

acquiring data packets associated with the service and entitlement control messages in response to the packet identifier pairs m (claim 8);

determining a decryption key in response to the acquired data packets (col. 17 lines 20-43, and col. 9 lines 20-57);

decrypting the data packets having service data in response to the decryption key (col. 17 lines 20-43, col. 15 lines 1-16, and col. 9 lines 20-57).

Wasilewski fail to explicitly teach wherein each first one of the received pairs includes a conditional access entitlement control message identifier and a second one of the received pairs includes a local entitlement control message identifier.

However Wasilewski '98 discloses multiple service providers (110a,b) and multiple conditional access layers on a single broadcasting packet, the broadcasting packet has multiple conditional identifiers and packet/program identifiers to identify the multiple service providers conditional access and identify the multiple programs stored on the broadcasting packet (par. 0010, 0041, 0036, 0046, and 0068).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the teachings of Wasilewski '98 within the system of Wasilewski because it is very well known to have more than one identifier or a pair of identifier in a method of broadcasting (par. 0010, 0041, 0036, 0046, and 0068). One would have been motivated to modify the teachings of Wasilewski because it would identify the conditional access entitlement control message and local entitlement message.

As per claims 2, and 5, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein the predefined convention is dependent upon an order in which the pairs are sent to the securely device (col. 5 lines 44-58).

As per claim 3, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein each of the received pairs is either associated with a conditional access (CA) system or extended conditional access (XCA) System (col. 5 lines 31-51).

As per claim 7, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein each of the received pairs further includes a service identifier (col. 5 lines 44-51).

As per claim 8, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein the predefined convention defines a first of the pairs to be received to include the service identifier and local entitlement control message identifier (col. 5 lines 44-51, and col. 7 lines 3-7).

As per claim 9, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein at least a portion of the data is secured using one of a plurality of conditional access systems (col. 5 lines 37-43).

As per claim 10, Wasilewski and Wasilewski '98 teach all the subject matter as described above.

In addition Wasilewski teaches the method, wherein at least one of the conditional access systems is associated with a broadcaster of the program and at least a second of the conditional access systems is associated with an access device, communicable with the present device (col. 7 lines 66-68).

As per claim 11, Wasilewski and Wasilewski '98 teach all the subject matter as described above.

In addition Wasilewski teaches the method, wherein the presentation device is a digital television, and the access device is a set-top box in combination with a second security device (col. 7 lines 66-68).

As per claim 12, Wasilewski and Wasilewski '98 teach all the subject matter as described above.

In addition Wasilewski teaches the method, further comprising:

the security service communicating interface protection related information and conditional access related information to the audio/video processing device (fig. 1 element 2 and fig. 5 element 90 and 94); and,

the audio/video processing device parsing a program map table using the communicated conditional access information and stored conditional access information (col. 12 lines 27-58);

wherein the program map table associates packet identifiers with corresponding service information (col. 12 lines 27-58).

Art Unit: 2136

As per claim 13, Wasilewski and Wasilewski '98 teach all the subject matter as described above.

In addition Wasilewski teaches the method, wherein the security device uses packet identifiers to identify which of the packets contains entitlement control message data suitable for descrambling the data indicative of the program (col. 9 lines 20-57).

Regarding claim 14, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition the combination teach the method, wherein at least some of said entitlement control messages are local entitlement control messages which include at least a field for identifying said local entitlement control message and a field for conditional access identification, and descrambling said service by accessing an appropriate key in said data using information included in at least one of said field for identifying said local entitlement control message and said field for conditional access identification (Wasilewski '98 par. 0010, 0041, 0036, 0046, and 0068, and Wasilewski col. 5 lines 60-62, col. 6 lines 65-col. 7 lines 7, and col. 14 lines 45-61.

As per claims 15, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein at least one portion of the data is indicative of at least one program (fig. 1 element 2).

As per claim 16, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein the data is communicated via a digital transmission system (fig. 2, and col. 7 lines 66-68).

Regarding claim 20, Wasilewski and Wasilewski '98 teach all the subject matter as described above. In addition Wasilewski teaches the method, wherein the local entitlement control message includes a rebundled scrambling key that is based on the scrambling key associated with the conditional access entitlement control message (col. 9 lines 7-58).

Conclusion

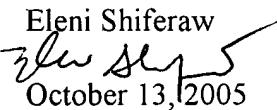
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw

October 13, 2005


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